

REMARKS

Claims 6-11 are pending in the application. By this Amendment, Claims 6 and 9 are amended. Favorable reconsideration is respectfully requested in light of the following Remarks.

1. The Office action objects to the disclosure because of a typographical error. By this Amendment, the typographical error is corrected. Withdrawal of the objection is respectfully requested.

2. The Office action rejects Claims 6-11 under 35 U.S.C. §103(a) over Langdon et al. (U.S. Patent No. 4,934,747) alone or further in view of Robinson (U.S. Patent No. 5,704,804) and Wenk (U.S. Patent No. 5,871,243). The rejection is respectfully traversed.

By this Amendment, independent Claim 6 is amended to include the feature of an annular band having one end including a double fluke comprising two slotted flanges positioned at 90° with respect to each other and aligned substantially parallel to a longitudinal axis of the annular band. In addition, independent Claim 9 is amended to include the feature of a locking mechanism including a double fluke comprising two slotted flanges positioned at 90° with respect to each other and aligned substantially parallel to a longitudinal axis of the annular band at the first end of the annular band.

Langdon discloses a sealing band 22 with two spaced seal tabs 80, 82 that extend outward from the exterior surface of the band 22. The tabs 80, 82 are insertable through apertures 35 in a tongue 34 of the band 22. *See Fig. 6, col. 6, lines 1-34.*

In Langdon, the tabs 80, 82 are arranged substantially perpendicular to the longitudinal axis of the band 22. By contrast, the double fluke of the claimed invention are arranged substantially parallel to the longitudinal axis of the band. As a result of this important difference, the base of the double fluke of the claimed invention is less susceptible to bending stresses and potential damage when the band is tightened. Thus, it would not have been obvious to modify the tabs 80, 82 of Langdon to meet the claimed invention. To do so would be an improper use of hindsight reconstruction from Applicant's disclosure.

There is no mention in either Robinson or Wenk of a double fluke arrangement. Thus, Robinson and Wenk add nothing to overcome this shortcoming in Langdon.

Because Landgon alone or the combination of Langdon, Robinson and Wenk disclose all the claim limitations, as recited in Claims 6 and 9, the Office action fails to establish a *prima facie* case of obviousness. *See MPEP §2143*.

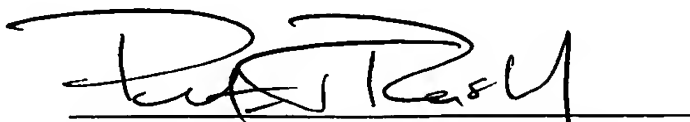
For at least this reason, Claims 6 and 9 are allowable over the applied art, taken singly or in combination. Claims 7 and 8, which depend from Claim 6, and Claims 10 and 11, which depend from Claim 9, are likewise allowable over the applied art, taken singly or in combination. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Nguyen believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 18-0013 in the name of Rader, Fishman and Grauer PLLC.

Respectfully submitted,



Peter J. Rashid, Reg. No. 39,464
Rader, Fishman & Grauer PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, Michigan 48304
Attorney for Applicant

Telephone No. (248) 594-0624

Customer No. 010291